<u>REMARKS</u>

This application has been reviewed in light of the Office Action dated October 25, 2007. Claims 1 and 3-16 are presented for examination, of which Claims 1, 5-8 and 11-16 are in independent form. Claim 2 has been canceled without prejudice or disclaimer of subject matter, and will not be mentioned further. Claims 1, 5-8 and 10-16 have been amended to define still more clearly what Applicant regards as his invention. Favorable reconsideration is requested.

In the outstanding Office Action, Claims 1 and 3-16 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication 2003/0123072 (Spronk).

Independent Claim 1 is directed to an image processing apparatus for performing print simulation through a computer network. The claimed apparatus comprises a device selector, arranged to select a color printer on the network as a print simulation target, and to select another color printer on the network which is used to output a simulation result of the target printer. According to Claim 1, the claimed image processing apparatus and the simulation output printer are present at a single site, the target printer is present at another site, and the two sites are connected through the network. The claimed apparatus also comprises a profile selector, arranged to select a profile required for a color matching process of the print simulation through the network, and to set the selected profile in the target printer, and a first transmitter, arranged to transmit to the target printer image data on which a color matching process is to be performed. A receiver receives the image data on which the color matching process has been performed according to the selected profile from the target printer, and a second transmitter transmits the

received image data to the simulation output printer so as to print an image that simulates

color of an image which the target printer will print.

Applicant notes the Examiner's assertion that *Spronk* teaches a color

management unit 16 and a printing press 22 in communication with each other, and the

color management unit 16 receives image data on which a color matching process is

performed from the printing press 22 (page 2 of the Office Action). *Spronk* teaches as

follows:

> "Upon receipt of the image data, the workstation 36 displays the image data provided by the scanner 38 to a user. This enables the user to electronically construct a desired image based upon the received image data. The workstation 36 supplies data representative of the constructed image to the film printer 40 disposed to produce a set of printing film plates. Usually, printing plates for the printing press 22 are produced from the printing film plates. The printing plates are mounted on the printing press 22 and coated with the inks of the device-dependent color space of the printing press 22. The above process of producing a color print using the printing press 22 is generally relatively expensive and time consuming. As a consequence, the color management unit 16 and color printer 18 are used to print a predicted version of such a color print (i.e., a color 'proof') for the purpose for confirming the color appearance and finish of the color print prior to actual printing of the color print using by the printing press 22. To this end, image data corresponding to the image constructed by the workstation 36 is supplied to the color management unit 16. [Emphases added]"

That is, the workstation 36 displays an image scanned by the scanner 38 so that the user

constructs an image to be print, and supplies the constructed image to the film printer 40 to

produce the printing film plates, and the printing film plates are mounted on the printing

press 22 to print the constructed image, and further supplies the constructed image to the

color management unit 16 to perform a proof using the color printer 18.

*Spronk* also states, farther on:

> "During operation of the color management unit 16, the RIP 50 executes on the CPU 54 and transforms the PDL image data supplied from the workstation 36

into bit map data defined in the device-dependent color space of the color printer 18 (e.g., the CMYK color space). Conceptually, <u>the 50 utilizes the press ID profile 74 to convert the PDL image data into L\*a\*b\* data and uses the printer ID profile 76 to transform this intermediary L\*a\*b\* data into the device-dependent color space of the color printer 18</u>. [Emphasis added]"

Thus, the RIP 50 of the color management unit 16 performs a color matching process using the press ID profile 74 and the printer ID profile 76.

Applicant submits that according to these passages in *Spronk*, the color management unit 16 does not communicate the printing press 22, but receives the image data before the color matching process from the workstation 36. In other words, nothing in these passages of *Spronk* can be viewed as relating to image data on which color matching process has been performed according to a selected profile from the target printer or server through a computer network. Based on Applicant's understanding of *Spronk*, therefore, Applicant believes that the Examiner may have misapprehended the actual operation of *Spronk*'s system, and submits that Claim 1 is allowable over that patent.

Independent Claim 7 is directed to an image processing apparatus for performing print simulation through a computer network, that comprises a device selector, arranged to select a color printer on the network as a print simulation target, and to select another color printer on the network which is used to output a simulation result of the target printer, and a profile selector, arranged to select a profile required for a color matching process of the print simulation through the network, and to designate a server of a site where the target printer is present to use the selected profile. The apparatus also comprises a first transmitter, arranged to transmit to the server image data on which a color matching process is to be performed, and a receiver, arranged to receive the image data on which the color matching process has been performed according to the selected profile

from the server. A second transmitter transmits the received image data to the simulation

output printer so as to print an image that simulates color of an image which the target

printer will print.

The Office Action states that color management unit 16 in the *Spronk*

system utilizes the press ID profile 74 and the printer ID profile 76, and that the color

management unit 16 thus selects the profile required for the color matching process of the

print simulation through the computer network, and designates the server of a site where

the target printer is present to use the selected profile (pages 2 and 3 of the Office Action).

*Spronk* states:

> "[T]he color management unit 16 includes … a memory subsystem 58 in
> communication via a system bus 60. The memory subsystem 58 holds … <u>a
> raster image processor ("RIP") 50, a press ID profile 74, a printer ID profile
> 76</u>, and secondary file storage 80. [Emphasis added]"

Also (quoted above):

> "During operation of the color management unit 16, the RIP 50 executes on
> the CPU 54 and transforms the PDL image data supplied from the workstation
> 36 into bit map data defined in the device-dependent color space of the color
> printer 18 (e.g., the CMYK color space). Conceptually, <u>the 50 utilizes the
> press ID profile 74 to convert the PDL image data into L\*a\*b\* data and uses
> the printer ID profile 76 to transform this intermediary L\*a\*b\* data into the
> device-dependent color space of the color printer 18</u>. [Emphasis added]"

As stated by *Spronk*, thus, the color management unit 16 stores the press ID profile 74 and

the printer ID profile 76 in the memory subsystem 58 as shown in Fig. 2, and performs the

color matching process using the RIP 50, and the profiles 74 and 76. From this it is clear

that the color management unit 16 selects the profile required for the color matching

process of the print simulation from the memory subsystem 58, and designates the RIP of

the color management unit 16 to use the selected profile. Applicant submits that nothing in

these passages of *Spronk* can be viewed as teaching selection of a profile, or designation of usage of a selected profile to the server, through the computer network, as recited in Claim 7, nor does any other portion of *Spronk* appear to contain such teaching. Rather, it appears to Applicant that the image data on which the color matching process has been performed according to the selected profile is *not* obtained from the printing press 22 or the workstation 16 of *Spronk*.

For these reasons, Applicant submits that Claim 7 is allowable over *Spronk*.

The other independent claims are each respectively a method or a computer-medium claims corresponding to one or the other of apparatus Claims 1 and 7, and are believed to be patentable for at least the same reasons as discussed above in connection with the latter claims.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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